

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION

In Re:

Peter Robert Boykin

Case No. 18-10192

Chapter 13

Social Security No. xxx-xx-6743

Address: 2060 Stone Street Ext., Mebane, NC 27302-

Debtor

OBJECTION TO CLAIM

NOW COMES the Debtor above-named, through counsel, pursuant to 11 U.S.C. §502 and Bankruptcy Rule 3007, who respectfully objects to the proof of claim filed by the creditor IRS and dated November 6, 2018 and designated claim number 3 for the following reasons:

IRS filed a claim for a priority tax liability for income taxes accruing in tax year 2016 noting the tax return to be unfiled. However, Debtor has indeed filed his tax return and already received a refund for tax year 2016. Copies of same are being sent to the IRS representative responsible for filing the proof of claim contemporaneously with this objection.

WHEREFORE, the Debtor prays that the Court enter an Order disallowing the claim in its entirety.

Dated: 03/01/2019

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s Benjamin D. Busch

Benjamin D. Busch

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CERTIFICATE OF SERVICE

I, Erica NeSmith, of the Law Offices of John T. Orcutt, P.C., under penalty of perjury, do hereby certify that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on March 1, 2019, I served copies of the foregoing **OBJECTION TO CLAIM**, by automatic electronic noticing, or when unavailable, by Regular U.S. Mail, upon the following parties:

Department of Treasury - IRS

Attn: Managing Agent

PO Box 7346

Philadelphia, PA 19101

US Attorney's Office - MDNC

Attn: Civil Processing Clerk

101 South Edgeworth St., 4th Floor

Greensboro, NC 27401

Hon. William Barr, United States Attorney General

United States Department of Justice

950 Pennsylvania Ave NW

Washington, DC 20530

William P. Miller

U.S. Bankruptcy Administrator

Anita Jo Kinlaw-Troxler

Chapter 13 Trustee

/s Erica NeSmith

Erica NeSmith